

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MICHAEL AERTS,

Plaintiff,

v.

TRYSTAR ENTERPRISES, LLC

Defendant.

Civil Action

No. 1:23-cv-1547-AT-CCB

JURY TRIAL DEMANDED

**FIRST NOTICE OF 30(b)(6) DEPOSITION OF
DEFENDANT TRYSTAR ENTERPRISES, LLC**

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 30(b)(6) that the undersigned will take the deposition of a corporate representative(s) of Defendant Trystar Enterprises, LLC upon oral examination before an officer authorized by law to administer oaths and commencing on **November 14, 2023 at 9:00 AM EST**. The parties have agreed the deposition will be taken virtually. The deposition will be recorded by stenographic and sound-and-visual means. The oral examination will continue from day to day until complete, adjourned, or continued.

The 30(b)(6) examination shall cover the following matters:

1. Identity and description in full detail of each and every fact upon Defendant bases or that relates to each of the defenses and affirmative defenses identified in Defendant's Answer. The identify, description and location of each and every document upon which relates to Defendant's defenses or Plaintiff's claims,

including the location and description of each document Defendant is withholding based on purported privilege(s) and/or that Defendant has not produced based on objection(s).

2. Defendant's alleged reason(s) for terminating Plaintiff's employment, along with the individual's involved in the decision to terminate Plaintiff's employment, the role each such person played in the decisional process, the date(s) Plaintiff's termination was discussed, and the location and manner of the communications, e.g. in person. Further, the date(s) on which Defendant contends it communicated to Plaintiff that there were deficiencies in his performance, who made such communications and the substance of such communications.

3. The identity and description of each and every performance related write up and/or disciplinary action against Plaintiff during his employment, including the dates such disciplinary action was investigated, considered, and administered by Defendant, along with the location and description of each and every document referring or related to such write up and/or disciplinary action.

4. The date(s) on which Plaintiff complained about issues with Lee, the person(s) to whom Plaintiff complained and the substance of Plaintiff's complaint and Defendant's representative(s)' response to Plaintiff's complaint(s). Further, the person(s) in Defendant's business that discussed Plaintiff's complaint with individuals for the company that Lee worked, the substance of such communications and the date(s) and manner of such communications, e.g. email or phone.

5. The address and description of the South Carolina jobsite which Defendant proposed sending Plaintiff to after his Complaint, along with the description of the position Defendant suggested and the pay for the position. Further, the date(s) the position was proposed to Plaintiff, the individual(s) that proposed the position and the reason(s) for proposing the position.

6. The total number of employees Defendant had for 20 or more calendar weeks in 2022 and 2023.

This 31st day of October, 2023.

/s/ V. Severin Roberts
V. Severin Roberts
Georgia Bar No. 940504

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing FIRST NOTICE OF 30(b)(6) DEPOSITION OF DEFENDANT TRYSTAR ENTERPRISES, LLC with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

This 31st day of October, 2023.

/s/ V. Severin Roberts

V. Severin Roberts

Georgia Bar No. 940504